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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/083,211 | 10/19/2001 | Kazuhiro Satoh | 2271/66118 | 6244 |

7590 12/28/2006
RICHARD F. JAWORSKI
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New York, NY 10036

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| EXAMINER |
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MENBERU, BENIYAM

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| ART UNIT | PAPER NUMBER |
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2625

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 12/28/2006 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/083,211

Applicant(s)

SATO, KAZUHIRO

Examiner

Beniyam Menberu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-7 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-7 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 24, 2006 has been entered.

Response to Arguments

2. Applicant's arguments, see Remarks, filed November 24, 2006, with respect to the rejection(s) of claim(s) 1 and 7 under U.S. Patent No. 5387042 to Brown have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of U.S. Patent No. 5949492 to Mankovitz.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5387042 to Brown in view of U.S. Patent No. 5949492 to Mankovitz.

Regarding claim 1, Brown discloses a communication device comprising :
a keyboard used to input literal information, wherein a character allocated to each of one-touch dial keys provided on said keyboard can be changed and the character is allocated to each of said keys according to a one-touch-keyboard key-map table (column 8, lines 1-16, 29-45; column 12, lines 32-48, 65-68; column 13, lines 1-12);
a reading unit reading a one-touch-keyboard key-map table corresponding to a user selection from among a plurality of one-touch-keyboard key-map tables each storing a distinctly separate correspondence relation between key codes and character codes for a character arrangement (column 12, lines 65-68; column 13, lines 1-12). However Brown does not disclose :

a plotter; and

a recording/outputting unit creating, based on the one-touch keyboard key-map table read by said reading unit, image data to be recorded on a label to be applied to a one-touch dial keyboard portion of said keyboard, recording an image corresponding to the created image data on the label, and outputting the label on which the image is recorded, by using said plotter of said communication device.

Mankovitz discloses

a plotter (Figure 26A, reference 1222; column 27, lines 46-50; Figure 13a, 13b; column 19, lines 9-40); and

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a recording/outputting unit creating, based on the one-touch keyboard key-map table read by said reading unit, image data to be recorded on a label to be applied to a one-touch dial keyboard portion of said keyboard, recording an image corresponding to the created image data on the label, and outputting the label on which the image is recorded, by using said plotter of said communication device (column 19, lines 57-67; column 20, lines 1-20; column 31, lines 41-67; column 22, lines 64-67).

Brown and Mankovitz are combinable because they are in the similar problem area of device with keyboard input.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the plotting system of Mankovitz with the system of Brown to implement keyboard plotter.

The motivation to combine the reference is clear because a keyboard that meets the requirement of a user can be readily applied to an inputting system using the plotting system of Mankovitz (column 31, lines 47-65).

Regarding claim 7, Brown discloses a communication device comprising: a numeric keypad used to input numeric information, wherein a character allocated to each of keys provided on said numeric keypad can be changed, and the character is allocated to each of said keys according to a numeric-keypad key-map table (column 6, lines 46-56; column 7, lines 20-35; column 8, lines 1-16, 29-45; column 12, lines 32-48, 65-68; column 13, lines 1-12);

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a reading unit reading a numeric-keypad key-map table corresponding to a user selection from among a plurality of numeric-keypad key-map tables each storing a distinctly separate correspondence relation between key codes and character codes for a numeric-keypad arrangement (column 12, lines 65-68; column 13, lines 1-12).

However Brown does not disclose

a plotter; and

a recording/outputting unit creating, based on the numeric-keypad key-map table, read by said reading unit, image data to be recorded on a label to be applied to the numeric keypad, recording an image corresponding to the created image data on the label, and outputting the label on which the image is recorded, by using said plotter of said communication devices.

Mankovitz discloses

a plotter (Figure 26A, reference 1222; column 27, lines 46-50; Figure 13a, 13b; column 19, lines 9-40); and

a recording/outputting unit creating, based on the numeric-keypad key-map table read by said reading unit, image data to be recorded on a label to be applied to the numeric keypad, recording an image corresponding to the created image data on the label, and outputting the label on which the image is recorded, by using said plotter of said communication device (Figure 42, Figure 43; column 35, lines 25-43; column 19, lines 57-67; column 20, lines 1-20; column 31, lines 41-67; column 22, lines 64-67).

Brown and Mankovitz are combinable because they are in the similar problem area of device with keyboard input.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the plotting system of Mankovitz with the system of Brown to implement keyboard plotter.

The motivation to combine the reference is clear because a keyboard that meets the requirement of a user can be readily applied to an inputting system using the plotting system of Mankovitz (column 31, lines 47-65).

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5387042 to Brown in view of U.S. Patent No. 5949492 to Mankovitz further in view of U.S. Patent Application No. US 2002/0174231 A1 to Surloff et al.

Regarding claim 4, Brown in view of Mankovitz teaches all the limitations of claim 1. However Brown in view of Mankovitz does not disclose the communication device as claimed in claim 1, wherein configuration information regarding a configuration of the communication device is obtained so that said predetermined keyboard character layout is selected according to said configuration information.

Surloff et al disclose the communication device (page 1, paragraph 18) as claimed in claim 1, wherein configuration information regarding a configuration of the communication device is obtained so that said predetermined keyboard character layout is selected according to said configuration information (page 7, paragraph 74).

Brown, Mankovitz, and Surloff et al are combinable because they are in the similar problem area of device with keyboard input.

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to combine the keyboard layout selection of Surloff et al with the keyboard system of Brown in view of Mankovitz to implement configuration depending keyboard layout.

The motivation to combine the reference is clear because Surloff et al teaches that Internet access can be simplified with the configurable keyboard (page 7, paragraph 74, lines 1-7).

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5387042 to Brown in view of U.S. Patent No. 5949492 to Mankovitz further in view of U.S. Patent No. 5523754 to Eisen et al.

Regarding claim 5, Brown in view of Mankovitz teaches all the limitations of claim 1. However Brown in view of Mankovitz does not disclose the communication device as claimed in claim 1, wherein situation information regarding a nation where the communication device is situated is obtained so that said predetermined keyboard character layout is selected according to said situation information.

Eisen et al discloses the communication device (column 2, lines 45-55) wherein situation information regarding a nation where the communication device is situated is obtained so that said predetermined keyboard character layout is selected according to said situation information (column 4, lines 9-20).

Brown, Mankovitz, and Eisen et al are combinable because they are in the similar problem area of communication device with keyboard input.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the keyboard configuration of Eisen et al with the system of

Brown in view of Mankovitz to implement keyboard configuration with respect to the nation where the communication device is located.

The motivation to combine the reference is clear because Eisen et al teaches that a multi-lingual keyboard is needed because of the different languages spoken in countries (column 1, lines 15-27).

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5387042 to Brown in view of U.S. Patent No. 5949492 to Mankovitz further in view of U.S. Patent No. 5523754 to Eisen et al.

Regarding claim 6, Brown in view of Mankovitz teaches all the limitations of claim 1. Mankovitz discloses wherein configuration information regarding a configuration of the communication device is obtained (column 22, lines 24-46, lines 64-67). However Brown in view of Mankovitz does not disclose the communication device as claimed in claim 1, situation information regarding a nation where the communication device is situated is obtained, so that said predetermined keyboard character layout is selected according to at least one of said configuration information and said situation information.

Eisen et al disclose communication device wherein situation information regarding a nation where the communication device is situated is obtained, so that said predetermined keyboard character layout is selected according to at least one of said configuration information and said situation information (column 4, lines 9-20).

Brown, Mankovitz, and Eisen et al are combinable because they are in the similar problem area of device with keyboard input.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the keyboard configuration of Eisen et al with the system of Brown in view of Mankovitz to implement keyboard layout depending on the system configuration and nation where the communication device is situated.

The motivation to combine the reference is clear because Eisen et al teaches that a multi-lingual keyboard is needed because of the different languages spoken in countries (column 1, lines 15-27).

8. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5387042 to Brown in view of U.S. Patent No. 5949492 to Mankovitz further in view of U.S. Patent No. 4202041 to Kaplow et al.

Regarding claim 10, Brown in view of Mankovitz teaches all the limitations of claim 1. However Brown does not disclose the communication device of claim 1, wherein the correspondence relation between key code and character code for a selected key can be changed according to preference.

Kaplow et al disclose wherein the correspondence relation between key code and character code for a selected key can be changed according to preference (column 14, lines 21-29; column 18, lines 58-67; column 19, lines 1-10).

Brown, Mankovitz, and Kaplow et al are combinable because they are in the similar problem area of device with keyboard input.

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At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the keyboard configuration of Kaplow et al with the system of Brown in view of Mankovitz to implement specific key configuration.

The motivation to combine the reference is clear because Eisen et al teaches that a multi-lingual keyboard is needed because it provides users with convenience use of the keys on a keyboard.

Other Prior Art Cited

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No.6097990 to Takekasa discloses apparatus for inputting character data.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beniyam Menberu whose telephone number is (571) 272-7465. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571) 272-7471. The fax phone

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number for the organization where this application or proceeding is assigned is **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (571) 272-2600. The group receptionist number for TC 2600 is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov/>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

Beniyam Menberu

BM

12/19/2006



KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER